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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,562	11/27/2001	John Etheridge	NC33567	8736

23860 7590 07/19/2004

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EXAMINER	
PHAN, HUY Q	

ART UNIT	PAPER NUMBER
2685	6

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/994,562	ETHERIDGE, JOHN	
	Examiner	Art Unit	
	Huy Q Phan	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4 and 5*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirai et al. (US-5,940,502).

Regarding claim 1, Hirai et al. disclose in figure 1, a support structure (1) for a mobile communications device (6) comprising a dampening mechanism (figs. 28-29, feature 130) to dampen the insertion of the mobile communications device into the support structure (col.11, lines 51-65) wherein the dampening mechanism comprises a geared arrangement (figs. 28-29) to control the speed of insertion (col. 13, lines 51-55) of the mobile communications device into the support structure.

Regarding claim 2, Hirai et al. disclose a support structure as recited in the rejection of claim 1, wherein the support structure comprises a data/power connection means (8) (fig. 22 and col. 8, line 66-col. 9, line 5) and the support structure is arranged such that the geared arrangement (figs. 28-29) controls the speed of mating/withdrawal of the data/power connections means (col. 13, lines 51-55) with a respective data/power connection means (8) of a mobile communications device (6).

Regarding claim 3, Hirai et al. disclose a support structure as recited in the rejection of claim 1, wherein the support structure extends in the vertical plane to support the mobile communications device in an upright configuration (inherently to col. 7, lines 66-67).

Regarding claim 4, Hirai et al. disclose a support structure as recited in the rejection of claim 1, wherein the support structure comprises a data/power connection means (8) and wherein the support structure is arranged such that the geared arrangement (fig. 28) guides the mating/withdrawal of the respective connection means (col. 11, lines 31-43).

Regarding claim 5, Hirai et al. disclose a support structure as recited in the rejection of claim 1, wherein the support structure comprises a platform (fig. 18, feature 132) arranged to engage with mobile communications device and move into/out of the support structure (col. 12, line 11-col. 14, line 14), and wherein the geared arrangement (fig. 29, feature 135) is arranged to control the in/out movement of the platform (col. 13, line 51-col. 14, lines 14).

Regarding claim 6, Hirai et al. disclose a support structure as recited in the rejection of claim 5, wherein the support structure is arranged to allow the insertion of the whole of the platform (fig. 18, feature 132) into the support structure (col. 12, lines 11-18).

Regarding claim 7, Hirai et al. disclose a support structure as recited in the rejection of claim 5, wherein the platform is arranged to protect the data/power connection means (col. 13, lines 43-55).

Regarding claim 8, Hirai et al. disclose a support structure as recited in the rejection of claim 7, wherein the support structure (fig. 18) comprises data/power connection means (120) located proximal to the platform (132) to allow controlled mating between respective connection means upon insertion of the platform into the support structure (col. 13, lines 43-55).

Regarding claim 9, Hirai et al. disclose a support structure as recited in the rejection of claim 8, wherein the connection means (fig. 18, feature 120) is contained within the support structure housing to allow access by the connection means of a mobile communications device (6) when the mobile communications device is appropriately positioned on the platform (132), and the platform comprises an orifice (inherently to feature 132a) into the housing to allow mating of the connection means of the mobile communications device with the support structure connection means (col. 13, lines 43-50).

Regarding claim 10, Hirai et al. disclose a support structure as recited in the rejection of claim 9, wherein the platform (fig. 18, features 132 and 132a) is arranged to

support the base of a mobile communications device (6).

Regarding claim 11, Hirai et al. disclose in figure 1, a support structure (1) for a mobile communications device (6) comprising a dampening mechanism (figs. 28-29, feature 130) to dampen the insertion of the mobile communications device into the support structure wherein the dampening mechanism comprises a geared arrangement (figs. 28-29) to control the speed of insertion of the mobile communications device into the support structure (col. 13, lines 51-55), and wherein the geared arrangement (fig. 29) comprises a rack (fig. 29, feature 136) arranged to engage with a gear wheel (fig. 29, feature 135) to allow controlled translational movement of the dampening mechanism (col. 14, line 51-col. 14, line 14).

Regarding claim 12, Hirai et al. disclose a support structure as recited in the rejection of claim 11, wherein the platform (fig. 29, 132) comprises the rack (136) arranged to engage with a gear wheel (135) attached to a fixed position on the support structure (figs. 18 and 29).

Regarding claim 13, Hirai et al. disclose a support structure as recited in the rejection of claim 11, wherein movement of the platform is arranged to be guided by guide pins (col. 11, lines 31-43).

Regarding claim 14, Hirai et al. disclose a support structure as recited in the

rejection of claim 13, wherein the support structure comprises one or more channels arranged to house a guide pin (fig. 27, feature 122d).

Regarding claim 15, Hirai et al. disclose a support structure as recited in the rejection of claim 14, wherein the platform is arranged to be biased between the in and out positions by biasing means (col. 12, line 11-col. 14, line 14).

Regarding claim 16, Hirai et al. disclose a support structure as recited in the rejection of claim 13, wherein one or more of the guide pins are encircled by one or more springs (fig. 27, feature 24).

Regarding claim 17, Hirai et al. disclose a support structure as recited in the rejection of claim 16, wherein the biasing means comprises one or more springs (fig. 27, feature 24).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai et al.

Regarding claim 18, Hirai et al. disclose a support structure as recited in the rejection of claim 16. Hirai et al. further disclose wherein the biasing means comprises one or more coil springs (fig. 27, feature 24) arranged to flex upon compression to store up compressive energy, which is subsequently released by deflexion.

But, Hirai et al. do not particularly show wherein the biasing means comprises one or more flexible lugs arranged to flex upon compression to store up compressive energy, which is subsequently released by deflexion.

It would have been an obvious matter of design choice to use coil springs, since applicant has not disclosed that flexible lugs solve any stated problem or is for any particularly purpose and it appears that the invention would perform equally well with flexible lugs.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chung (US-5,974,332) discloses a mobile phone charging station.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 703-305-9007. The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Urban F Edward can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phan, Huy Q Au: 2685 Date : Jul. 11, 2004

7/12/04

QUOCHIEN B. VUONG
PRIMARY EXAMINER